

UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS

ROBERT P. LARGESE, REP. MARK J. \*  
CARRON, REP. EMILE J. GOFUEN, REP. \*  
ROBERT S. HARGRAVES, REP. PETER J. \*  
LARKIN, REP. JAMES R. MICELI, REP. \*  
PHILIP TRAVIS, SEN. STEVEN C. \*  
PANAGIOTAKOS, REP. CHRISTOPHER P. \*  
ASSELIN, REP. EDWARD G. CONNOLLY, \*  
REP. JOHN A. LEPPER, REP. ELIZABETH \*  
A. POIRIER, \*

Plaintiffs, \*

v. \*

Civil Action No. 04-10921-JLT

SUPREME JUDICIAL COURT FOR THE \*  
STATE OF MASSACHUSETTS, CHIEF \*  
JUSTICE MARGARET MARSHALL, \*  
JUSTICE ROBERT J. CORDY, JUSTICE \*  
JUDITH A. COWIN, JUSTICE JOHN M. \*  
GREANEY, JUSTICE RODERICK L. \*  
IRELAND, JUSTICE MARTHA B. SOSMAN, \*  
JUSTICE FRANCIS X. SPINA, in their official \*  
capacities as Justices of the Supreme Judicial \*  
Court of Massachusetts, MASSACHUSETTS \*  
DEPARTMENT OF PUBLIC HEALTH, \*  
CHRISTINE C. FERGUSON, in her official \*  
capacity as Commissioner of the Massachusetts \*  
Department of Public Health, JUDY A. \*  
McCARTHY, in her official capacity as City \*  
Registrar for the City of Boston, CITY AND \*  
TOWN CLERKS 1-350, \*

Defendants. \*

ORDER

May 17, 2004

TAURO, J.

This court hereby orders that:

1. The Motion for Preliminary Injunction and Temporary Restraining Order [#2] is DENIED AS MOOT;
2. The Motion for Waiver of Posting a Security Bond in Obtaining a Temporary Restraining Order and a Preliminary Injunction [#5] is DENIED AS MOOT;
3. The Oral Motion to Amend the Complaint that was made in open court on May 12, 2004 is ALLOWED;
4. The Supreme Judicial Court and Justices' Motion to Dismiss Amended Complaint for Lack of Subject Matter Jurisdiction [#44] is DENIED;
5. The Motion of Hillary Goodridge and Julie Goodridge, David Wilson and Robert Compton, Michael Horgan and Edward Balmelli, Maureen Brodoff and Ellen Wade, Gary Chalmers and Richard Linnell, Heidi Norton and Gina Smith, and Gloria Bailey and Linda Davies for Leave to Intervene as Defendants and Incorporated Memorandum of Law in Support Thereof [#46] is ALLOWED; and
6. The Motion for Leave to File a Reply to Supreme Judicial Court and Justices' Opposition to Plaintiff's Motion for a Temporary Restraining Order and in Support of Court and Justices' Motion to Dismiss [#49] is ALLOWED.

IT IS SO ORDERED.

/S/ Joseph L. Tauro  
United States District Judge